

DOCKET NO. 108430.023A

Serial No. 10/053,449

Response to Office Action Dated March 24, 2004

PATENT**Remarks**

Claims 1-10 and 12-24 are in the case. Claim 11 is cancelled. Claim 24 is new.

The courtesies extended by Examiner Frankie L. Stinson in granting a telephone interview on June 17, 2004 with attorney for Applicants, Brian L. Belles, are noted with appreciation. During the interview, the rejection of claim 11 under 35 U.S.C. § 103 as being unpatentable over Grandia et al. in view Armstrong or Kudo was discussed. Specifically discussed was how the wafer carriers disclosed in Grandia et al. are used for the liquid phase epitaxial growth and, thus, are designed to support the wafers in a horizontal orientation. It was agreed upon that one skilled in the art would not be motivated to modify the wafer carriers of Grandia et al. to support wafers in a substantially vertical orientation, and that Grandia et al. Grandia et al. does not teach or reasonably suggest such a modification. It was further agreed that adding such a limitation to claim 11 would put claim 11 in condition for allowance over the prior art of record. Accordingly, claim 1 is amended to include all of the limitations of original claim 11 and the additional limitation that "the wafer engaging elements support at least one wafer in a substantially vertical orientation." Therefore, claim 1 is in condition for allowance over the prior art of record.

Claim 24 is new. Claim 24 is an independent claim that is identical to original claim 1 except that claim 24 further specifies that the "the wafer engaging elements support at least one wafer in a substantially vertical orientation." Therefore, for the reasoning set forth above, claim 24 is allowable over the prior art of record.

In paragraph 6 of the Office Action claims 5-10 and 14-19 were objected to as being dependent upon a rejected base claim but were found to be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claim.

Accordingly, claim 5 has been rewritten in independent form to include all of the limitation of its base claim, original claim. There were no intervening claims. Accordingly, claim 5, and all claims dependent thereon, are in condition for allowance.

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Claim 14 has been amended to include all of the limitation of its base claim, original claim 1. **However, the limitations of intervening claims, original claims 12 and 13, have not been added to claim 14.** In paragraph 4 of the Office Action, **the limitations of claims 12 and 13 were deemed by the examiner to have no patentable weight.** Thus, it is assumed that the limitations of claims 12 and 13 did not affect the Examiner's decision as to allowability of claim 14. Therefore, it is believed that claim 14, as amended, is in condition for allowance.

Claim 20 is amended to be independent form, incorporating all of the limitations of its base claim, original claim 1. There were no intervening claims. On the cover page of the Office Action, claim 20 was indicated as being **objected to**, not rejected. However, in the body of the Office Action, claim 20 was not discussed. It is assumed that the Examiner intended that claim 20 was meant to be objected to for being dependent upon a rejected base claim but were found to be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claim. Claim 20 has been accordingly amended. It is believed that claim 20 is in condition for allowance, however clarification is requested.

No new matter is added. Support for the addition of the limitation that the wafers are supported in a substantially vertical position by the wafer engaging elements can be found in original Figures 2 and 4, and page 6, line 24 to page 7, line 2.

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Thus, it is believed that all of the grounds of rejection and objection in the March 24, 2004 Office Action have been traversed or obviated, and that all of the claims in the present application are in condition for allowance.

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Respectfully submitted,

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